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June 10, 2020

VIA ECF Only

The Honorable George B. Daniels
U.S. District Court for the Southern
District of New York
500 Pearl Street, Room 1310
New York, NY 10007

Re: Defendant's Motion To Dismiss in *Solomon v. AFSCME District Council 37*, No. 1:19-cv-06823-GBD

Dear Judge Daniels:

I represent Defendant AFSCME District Council 37 in the above-referenced case. I write to inform the Court that, in light of Plaintiff's acknowledgment that the Second Circuit's decision in *Wholean v. CSEA SEIU Local 2001*, 955 F.3d 332 (2d Cir. 2020)—in which the appellants' petition for rehearing *en banc* was denied on June 9—requires this Court to grant Defendant's motion to dismiss, Defendant will not be filing a reply brief in support of its motion.

Respectfully submitted,

/s/ Jacob Karabell
Counsel for Defendant AFSCME
District Council 37

CC: All counsel of record (via ECF)